

MAR 26 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIA ESCAMILLA-ENOE,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 08-71369

Agency No. A077-068-257

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted March 18, 2009<sup>\*\*</sup>

Before: LEAVY, HAWKINS and TASHIMA, Circuit Judges.

Maria Escamilla-Enoe, a native and citizen of Mexico, petitions for review  
of a Board of Immigration Appeals decision dismissing her appeal of an

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent  
except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

immigration judge's denial of her application for cancellation of removal, based on her failure to establish an exceptional and extremely unusual hardship to her United States citizen child. We dismiss the petition for review.

We lack jurisdiction to review the agency's discretionary determination that petitioner failed to show exceptional and extremely unusual hardship to a qualifying relative. 8 U.S.C. § 1252(a)(2)(B); *Mendez-Castro v. Mukasey*, 552 F.3d 975, 979 (9th Cir. 2009). Petitioner's contention that the immigration judge failed to properly consider and weigh all evidence of hardship does not raise a colorable due process claim. *Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

**PETITION FOR REVIEW DISMISSED.**